



U.S. Department
of Transportation

Research and
Special Programs
Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 19 2004

DOT-E 8723
(TWENTY-FOURTH REVISION)

EXPIRATION DATE: April 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: DYNO NOBEL Inc.
Salt Lake City, Utah

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce in bulk of certain Division 1.5 explosives and/or Division 5.1 oxidizers in the motor vehicles and portable tanks described in paragraph 7. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.101 and 173.62 in that Division 1.5D explosives may not be transported in bulk; § 173.242 in that Division 5.1 liquid oxidizers may not be transported in bulk; and §§ 176.83 and 177.848 in that Division 1.5 and 5.1 materials must be segregated.
5. BASIS: This exemption is based on the application of Dyno Nobel, Inc. dated June 29, 2004, submitted in accordance with § 107.109.

JUL 19 20046. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name -- Hazardous materials description	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonium nitrate-fuel oil mixture <i>containing only prilled ammonium nitrate and fuel oil</i>	1.5D	NA0331	II
Ammonium nitrate, with not more than 0.2 percent of combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance	5.1	UN1942	III
Ammonium nitrate based fertilizer	5.1	UN2067	III
Explosive, blasting, type E or Agent blasting, Type E	1.5D	UN0332	II
Explosive, blasting, type B or Agent blasting, Type E	1.5D	UN0331	II
Oxidizing liquid, n.o.s.	5.1	UN3139	II
Oxidizing solid, n.o.s.	5.1	UN1479	III

NOTE: Other blasting explosives and oxidizers must be specifically identified to, and acknowledged in writing, by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

7. SAFETY CONTROL MEASURES AND PACKAGING: The following packagings are authorized:

- a. Fruehauf Hopper Pressure Bulk Haul Tank Trailer Models HABF2J, HABWIJ, HAB-T2W-J, HAB-HA2W-J and HAB-HE2W-J.
- b. Ireco Chemical's Bulk Delivery Truck as shown on drawings submitted with application.
- c. The Heil Company's tank trailer serial number 928833 and the Heil bulk units serial numbers 7T00693, 7T00694, 7T00695, 7T01015 and 7T01018 or Heil model numbers DAS 1200, and DAS 1585.

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d. Repump truck as shown on Ireco drawing AYC 266, dated November 1982, AYC 327 dated March 1983.

e. Portable tank shown on drawing titled EMULSION TOTE BIN submitted with the application dated December 3, 1982 or EMULSION TOTE BIN described on drawing YRDS244 dated September 10, 1996, on file with OHMEA.

f. Fruehauf Corporation's tank trailer Model HAB-F2-K shown on drawings and specifications submitted with Ireco Chemical's application dated May 18, 1983.

g. Olympic Container Corporation's non-pressurized tank containers shown on drawing B-00800 Revision 1 dated May 15, 1986, submitted by Pacco, Inc. The owner's serial numbers must be on file with OHMEA prior to first shipment.

h. Beall Trans-Liner 625 cu. ft. Aluminum Pneumatic Pull Trailer described in Pacco, Inc.'s letter, drawings and specification sheets submitted on March 18, 1987.

i. Butler Manufacturing Company's units identified as models 1025, 1200 and 1500, as shown in Drawing B-910553.

j. Specification IM-102 portable tanks or DOT Specification IM-101 portable tanks equipped with relief devices as specified for IM-102 portable tanks so the effective maximum allowable working pressure of the tanks will not exceed 1.75 bars (25.4 psig).

k. Specification 31A, 31B, 31H1 and 31HA1 intermediate bulk containers.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The blasting explosives, ammonium nitrate solution or oxidizers may not be stored in the motor vehicle or portable tank longer than that required for shipment. The equipment must be cleaned frequently enough to assure against any accumulation of product in the vehicle or portable tank.

d. Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 8723". Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 8723".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel and rail freight.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident. A copy of written instructions must be provided to the masters of cargo vessels used to transport bulk blasting explosives, ammonium nitrate solution or oxidizers under this exemption.

c. For transportation by cargo vessel:

(1) The motor vehicles or portable tanks must be stowed "on deck only".

(2) The Division 1.5D explosives or Division 5.1 oxidizers must be segregated from other hazardous materials in accordance with the requirements for Division 1.1D explosives. In addition, the Division 1.5D explosives must be stowed "separate from" non-regulated readily combustible materials, as defined in § 176.83(d).

(3) The motor vehicles or portable tanks must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or if carried on an unmanned barge by an effective stream of water from a vessel alongside.

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(4) Before packages covered by this exemption are loaded on or discharged from a vessel at any place in the United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A current copy of this exemption must be provided to the Captain of the Port when requesting a permit.

(5) When no Division 1.1 or 1.2 explosives are onboard the vessel, the Division 1.5D explosives may be considered an extremely insensitive detonating substance and be assigned the lowest DOD 6055.9-STD safety factor without imposing the additional testing requirements.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable.

(Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
b7 Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: CH/sln

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

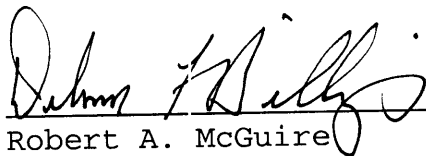
Company Name City/State	Application Date	Issue Date	Expiration Date
Alaska Pacific Powder Company Olympia, WA	Aug 30, 2004	Sep 29, 2004	Apr 30, 2006
Alpha Dyno Nobel, Inc. dba Alpha Explosives Lincoln, CA	Jun 10, 2004	Jun 29, 2004	Apr 30, 2006
American East Explosives, Inc. Greenfield, MO	Aug 15, 2004	Aug 24, 2004	Apr 30, 2006
Austin Powder Illinois Company Cleveland, Ohio	Sep 17, 2004	Sep 21, 2004	Apr 30, 2006
Austin Powder Company Cleveland, OH	Jul 16, 2004	Aug 3, 2004	Apr 30, 2006
Baxter Blasting Co. dba M.J. Baxter Drilling Co. El Cajon, CA	Jul 16, 2004	Aug 3, 2004	Apr 30, 2006
Bed Rock, Inc. DBA Tri-State Motor Transit Co Joplin, MO	Dec 10, 2003	May 7, 2004	Apr 30, 2006
Binns & Stevens Explosives, Inc. Oskaloosa, IA	Aug 23, 2004	Sep 21, 2004	Apr 30, 2006
Buckley Powder Company Englewood, CO	Aug 2, 2004	Aug 16, 2004	Apr 30, 2006
Buckley Powder Company of Oklahoma, Inc. Mill Creek, OK	Aug 2, 2004	Aug 16, 2004	Apr 30, 2006
Green Mountain Explosives, LLC Auburn, NH	Mar 24, 2004	May 7, 2004	Apr 30, 2006
John Joseph, Inc. Ringwood, NJ	Aug 8, 2004	Aug 10, 2004	Apr 30, 2006
Maurer & Scott, Inc. Lehigh Valley, PA	Jul 26, 2004	Aug 10, 2004	Apr 30, 2006

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Company Name City/State	Application Date	Issue Date	Expiration Date
Miller's Blasting Services, Inc. Chana, IL	Jun 29, 2004	Jul 28, 2004	Apr 30, 2006
Mine Equipment & Mill Supply Company (MEMSCO) Dawson Springs, KY	Aug 3, 2004	Aug 10, 2004	Apr 30, 2006
Mining Services International, Inc. Salt Lake City, UT	Aug 9, 2004	Aug 16, 2004	Apr 20, 2006
Minnesota Explosives Company Biwabik, MN	Jul 16, 2004	Aug 3, 2004	Apr 30, 2006
Nelson Brothers, Inc. Birmingham, AL	Jul 26, 2004	Aug 3, 2004	Apr 30, 2006
Nelson Brothers, LLC Birmingham, AL	Jul 26, 2004	Aug 3, 2004	Apr 30, 2006
Nelson Brothers, Mining Services, LLC Birmingham, AL	Jul 26, 2004	Aug 3, 2004	Apr 30, 2006
Orica USA Inc. Watkins, CO	Aug 25, 2004	Sep 21, 2004	Apr 30, 2006
Pepin-Ireco, Inc. Ishpeming, MI	Jun 7, 2004	Jun 29, 2004	Apr 30, 2006
R & R Trucking, Inc. Duenweg, MO	Oct 20, 2004	NOV 2 2004	Apr 30, 2006
Senex Explosives, Inc. Cuddy, PA	Jul 1, 2004	Jul 19, 2004	Apr 30, 2006
St. Lawrence Explosives Inc. Adams Center, NY	Jul 19, 2004	Aug 3, 2004	Apr 30, 2006
Tradestar Corporation West Jordan, UT	Sep 9, 2004	Sep 21, 2004	Apr 30, 2006
Viking Explosives & Supply, Inc. Rosemount, MN	Jul 6, 2004	Jul 19, 2004	Apr 30, 2006
Wampum Hardware Company New Galilee, PA	Jul 29, 2004	Aug 10, 2004	Apr 30, 2006

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Company Name City/State	Application Date	Issue Date	Expiration Date
Western Explosive Systems Company dba WESCO Salt Lake City, UT	Jul 21, 2004	Aug 3, 2004	Apr 30, 2006



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety